

UNITED STATES BANKRUPTCY COURT

Eastern District for New York.

Amended Complaint.

In re MARIA R BOURNE BANKRUPTCY INTER ESTATE PURE TRUST,

Debtor.

Case No.1-25-41222-ess

Chapter 7

Maria Bourne, attorney-in-fact.

Adv. Proc. No.

Plaintiff.

Joel ^{JB} ~~David~~ Thompson, ^{trustee} ~~Trustee~~

Plaintiff,

V.

Barton Schwartz, Mohammed Alam, Mohammed Hossain,
John Doe and any claimant with an interest
Defendants.

COMPLAINT TO RECOVER FRAUDULENT TRANSFER

Plaintiff, Maria Bourne, the undersigned attorney-in-fact ,
states:

1. Plaintiff is the duly qualified Trustee and *[acting trustee/the debtor in possession/the grantor]* in this case.
2. This court has jurisdiction under 11 U.S.C. §§ 548 and 550 and 28 U.S.C. § 1334. This adversary proceeding relates to the above-referenced cases under Chapter 7 of the Bankruptcy Code, now pending *[in this court/in the eastern district of new york]*. This is a core proceeding under 28 U.S.C. § 157(b)(2)(H).
3. Within two years before the filing of the petition in this case, defendant Barton Schwartz did transfer/convey to the defendants , Mohammed Alam, Mohammed Hossain, John Doe and any claimant with an interest possible, New York Supreme Court employees, for the sum of \$10 by unknown conveyance process/the following property: c/o 848 Linden {Boulevard}, Brooklyn, New York. See exhibit A- ACRIS transfer record.
[EITHER:]
4. Such transfer was made with actual intent to hinder, delay or defraud the debtor's creditor, as shown by the following verified complaint: .

[OR:]

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4. The grantor was not told about this, got no disclosure and received no consideration, nor granted such authority for the transfer. Defendants, failed to file a Lis Pendens, also unknown, whom the sale was from to defendants. No appraisal has been disclosed by defendants, to assess a reasonably equivalent value in exchange for such transfer; and the debtor was insolvent on the date such transfer was made, or became insolvent as a result of such transfer.

The debtor filed a voluntary petition in bankruptcy on *13th March, 2025 circa* and an automatic was entered. The trustee, plaintiff herein, has duly qualified as such and has filed *her* bond pursuant to 40 Statute-At-Large 92(a). with this court and is still serving in such capacity. This suit is brought by the attorney-in-fact herein seeking to have the court cancel, hold as fraudulent, and declare void a purported deed made, executed and delivered by defendant as referee in matrimonial proceedings to *possible conspirators-defendants Mohammed Alam, Mohammed Hossain, John Doe and any claimant with an interest*. individually, on *13 March 2025 circa*, and recorded in the Registry of Deeds for *King county*, Document ID# CRN 202503100297001- no book or page number found, covering the following described property located and situated at *[848 LINDEN [BOULEVARD], BROOKLYN, NEW YORK. Real estate des-cribe as a 2- family Brick Face Home, 7 bedroom, 2 bathroom, with driveway and garages. See Exhibit B ACRIS record for Deed unlawfully conveyed by Barton Schwartz to Grantee.*

That said conveyance is void under the Uniform Voidable Transactions Act (“NYUVTa”), DCL section 273a, 276 with the intent to hinder or delay, of the Civil Statutes of the State of *New York* and therefore also under 11 U.S.C. § 544(b), and was an effort on the part of *Barton Schwartz* to prefer and place *[himself]* over the bona fide creditors of this living estate pure trust. See Exhibit C for Sale record amount and price before sale.

VI.

[Repetition of allegations with adaptations],

VII.

Trustee further shows this Honorable Court that the real estate being in the record name of *Mohammed Alam, Mohammed Hossain, John Doe and any claimant with an interest*, and the trustee shows Barton Schwartz did transfer/convey title to said real estate to a third party and that such third party would then be in a position to assert the status of an innocent purchaser for value, all of which would be a great detriment to the debtor’s estate and trustee prays that pending the final hearing hereof, *Barton Schwartz, Mohammed Alam, Mohammed Hossain, John Doe and any claimant with an interest* be ordered to return the real estate property back to the living estate pure trust. That on hearing hereof, an injunction be granted by this Honorable Court enjoining *Mohammed Alam, Mohammed Hossain, John Doe and any claimant with an interest*. from attempting to sell, dispose of or encumber the same or to convey the same in any manner. WHEREFORE, plaintiff prays that *Barton Schwartz, Mohammed Alam, Mohammed Hossain, John Doe and any claimant with an interest* be cited to appear and answer herein and on hearing hereof, that this Honorable Court declare the purported deed by *Barton Schwartz* to alleged third

party Mohammed Alam and Mohammed Hossain, *John Doe and any claimant with an interest* to be null and void and fraudulent and given with an intent on the part of *Barton Schwartz* to delay, hinder and defraud *the MARIA R. BOURNE BANKRUPTCY INTER ESTATE PURE TRUST and its* creditors, that this Honorable Court enter its order canceling said deed and holding the same for naught as being a fraudulent conveyance, and declaring the herein described real estate and building as an asset of the grantor's estate to be administered in the further course of administration of the estate and that pending the course of this litigation, *Barton Schwartz, Mohammed Alam Mohammed Hossain, John Doe and any claimant with an interest* be restrained and enjoined from attempting to sell or dispose of this property in any manner whatever or from encumbering the same, and for all further relief, general and special, in law and in equity, as plaintiff shall show Mohammed Alam, Mohammed Hossain, *John Doe and any claimant with an interest* entitled.

[END OF CHOICES]

WHEREFORE plaintiff demands judgment against defendant for *return of property and other punitive damages*, plus costs, prays that the transfer to defendant be avoided (and that plaintiff recover back from defendant the property transferred), and prays for such other and further relief as is just and proper.

Dated: 16th April, 2025

by: *bourne maria*.

Maria Bourne- attorney-in-fact.

c/o: 848 Linden [Boulevard].

Brooklyn, New York.

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by: *thompson, joel*, L.S.
Joel david thompson, u/d/t-Ttee.